

REMARKS

In the Final Office Action¹, the Examiner rejected claims 1-5, 7-20, 22, and 23 under 35 U.S.C. § 112, second paragraph; rejected claims 1-5, 7-9, and 12-14 under 35 U.S.C. § 103(a) as unpatentable over U.S. Patent No. 5,800,667 to Kosaki et al. (“*Kosaki*”), in view of U.S. Patent App. Pub. No. 2003/0179353 to Yamauchi et al. (“*Yamauchi*”), in view of U.S. Patent No. 5,976,331 to Chang et al. (“*Chang*”), and further in view of U.S. Patent App. Pub. No. 2003/0197848 to Shiraishi (“*Shiraishi*”); rejected claims 10 and 11 under 35 U.S.C. § 103(a) as unpatentable over *Kosaki*, *Yamauchi*, *Chang*, *Shiraishi*, and further in view of U.S. Patent No. 3,475,867 to Walsh (“*Walsh*”); and rejected claims 15-20, 22, and 23 under 35 U.S.C. § 103(a) as unpatentable over *Yamauchi*, *Kosaki*, *Chang*, *Shiraishi*.

Applicants propose to amend claims 1, 2, 15, and 17. Claims 1-5, 7-20, and 22-25 are pending, and claims 24 and 25 have been withdrawn.

Regarding the rejection of claims 1-5, 7-20, 22, and 23 under 35 U.S.C. § 112, second paragraph, the Examiner states, “[i]t is unclear if applicant is claiming a liquid crystal composition that is used as an adhesive or a wax with liquid crystal qualities, or a crystal wax that is used as a liquid” (Office Action at page 3). In response, Applicants have amended claims 1, 2, 15, and 17 to recite “a liquid crystal wax as an adhesive.” Applicants submit that claims 1-5, 7-20, 22, and 23 meet the requirements of 35 U.S.C. § 112, second paragraph and request that the Examiner withdraw the rejection.

¹ The Final Office Action contains a number of statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicants decline to automatically subscribe to any statement or characterization in the Final Office Action.

Applicants respectfully traverses the rejection of claims 1-5, 7-9, and 12-14 under 35 U.S.C. § 103(a). A *prima facie* case of obviousness has not been established.

Claim 1 recites a method including, for example:

... spreading the liquid-phase liquid crystal wax in a liquid-phase liquid crystal wax layer over the surfaces of the thin plate and the planar member by holding the liquid-phase liquid crystal wax layer between the thin plate and the planar member and moving rotationally the thin plate and the planar member relative to each other

(emphasis added).

Kosaki discloses a method “for adhering a wafer to a supporting substrate with improved adhesion accuracy” (col. 2, lines 16-17). In *Kosaki*, pressure plate 57 presses “the supporting substrate 2 toward the wafer 1” (col. 4, lines 56-57 and Figs. 1(a) and 1(b)). However, *Kosaki* does not teach or suggest the claimed “spreading the liquid-phase liquid crystal wax . . . by holding the liquid-phase liquid crystal wax layer between the thin plate and the planar member and moving rotationally the thin plate and the planar member relative to each other,” as recited in claim 1.

Yamauchi does not cure the deficiencies of *Kosaki*. *Yamauchi* discloses an alignment device constructed by adjusting a table holding an object (paragraph 0006). However, *Yamauchi* does not teach or suggest the claimed “spreading the liquid-phase liquid crystal wax . . . by holding the liquid-phase liquid crystal wax layer between the thin plate and the planar member and moving rotationally the thin plate and the planar member relative to each other,” as recited in claim 1.“

Chang does not cure the deficiencies of *Kosaki* and *Yamauchi*. *Chang* discloses “an electrodeposition apparatus for use in depositing one or more metal or conductive

layers" (col. 2, lines 14-16). However, *Chang* does not teach or suggest the claimed "spreading the liquid-phase liquid crystal wax . . . by holding the liquid-phase liquid crystal wax layer between the thin plate and the planar member and moving rotationally the thin plate and the planar member relative to each other," as recited in claim 1."

Shiraishi does not cure the deficiencies of *Kosaki*, *Yamauchi*, and *Chang*.

Shiraishi discloses "an exposure apparatus that can perform exposure with high precision" (paragraph 0012). However, *Shiraishi* does not teach or suggest the claimed "spreading the liquid-phase liquid crystal wax . . . by holding the liquid-phase liquid crystal wax layer between the thin plate and the planar member and moving rotationally the thin plate and the planar member relative to each other," as recited in claim 1."

Accordingly, *Kosaki*, *Yamauchi*, *Chang*, and *Shiraishi* fail to establish a *prima facie* case of obviousness with respect to claim 1. Claims 7-9 and 12-14 depend from claim 1 and are thus also allowable over *Kosaki*, *Yamauchi*, *Chang*, and *Shiraishi* for at least the same reasons as claim 1.

Independent claims 2, 15, and 17, while of different scope, are also allowable over *Kosaki*, *Yamauchi*, *Chang*, and *Shiraishi*. Claims 3-5, 16, 18-20, 22, and 23 are also allowable at least due to their dependence from independent claims 2, 15, and 17, respectively.

Applicants note that the Examiner cited *Walsh* in the rejection of dependent claims 10 and 11, which depend from independent claim 1. Applicants submit that *Walsh* fails to cure the deficiencies of *Kosaki*, *Yamauchi*, *Chang*, and *Shiraishi* with respect to claim 1. Therefore, a *prima facie* case of obviousness has not been established for claims 10 and 11.

Applicants respectfully request that this Amendment under 37 C.F.R. § 1.116 be entered by the Examiner, placing the claims in condition for allowance. This Amendment should allow for immediate action by the Examiner.

Furthermore, Applicants respectfully point out that the Final Office Action by the Examiner presented some new arguments as to the application of the art against Applicants' invention. It is respectfully submitted that the entering of the Amendment would allow the Applicants to reply to the final rejection and place the application in condition for allowance.

Finally, Applicants submit that the entry of the amendment would place the application in better form for appeal, should the Examiner dispute the patentability of the pending claims.

In view of the foregoing amendments and remarks, Applicants respectfully request reconsideration of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: July 29, 2009

By: /David W. Hill/
David W. Hill
Reg. No. 28,220